

Mr. Editor:

In your columns of last week, I noticed a communication signed "M," in relation to the subject of Capital Punishment. The author of this article, no doubt feeling conscientiously opposed to the existing laws, sanctioning the unrighteous infliction of punishment with death, for capital crimes; challenges discussion, with a view, as he expresses himself, of calling your patrons and the citizens of this commonwealth, to a consideration of this subject. Agreeing with the gentleman, that the present state of feeling upon this topic, demands its investigation, I propose, by your permission, through your columns, to assist my friend "M," to the extent of my abilities in investigating the right which a human tribunal has to pronounce the sentence of death upon a fellow being. It is wished, however, that it be in the first place, distinctly understood, that it is the right, the authority upon which the justness of inflicting capital punishment has heretofore been predicated, which first claims the attention; and if it can be successfully established, that such a right has been conferred to a human judiciary, the expediency will be inferred as a necessary consequence; since it may be taken as a maxim, that whatever is right, is also expedient. It will not be denied by any reasonable being, but that the interests of mankind, individually and collectively, require the institution of governments, and also that man in this relation is necessarily subjected to certain mandatory and prohibitory restrictions. In fact it becomes necessary, in order to the very establishment and maintenance of governments, and to the preservation of the rights and immunities of citizens, that certain laws be recognized, regulating the duties and conduct of the individual members of community. These laws, or regulations require to be adopted and sanctioned by the persons whom they are intended to regulate—yet their rejection in form does not cancel the responsibility under which all rest, to receive those which have been given by the moral Governor of the Universe. It is no where found, that an invisible, supernatural hand has drawn up a code of laws in the form of a Statute Book, for the regulation of states or kingdoms. The general principles upon which legislative action should be taken, have been communicated, and the right which men have to receive and adopt them made known. If it be admitted that men, in a public capacity, have a right to enact laws, this fact itself evidently implies that they have a right also, to enforce them. This investiture of authority cannot be acknowledged, unless the right to punish be recognised. This then being premised, it remains for those advocating the abolition of capital punishment, to submit some rules by which the infliction of punishment could be regulated; since it is not presumed that every crime should have the same penalty attached. The admission is made by all that crimes differ materially in their enormity. If then, such be granted, equity would seem to demand that there be a gradation of punishments. The enquiry may next arise with a reference to the source from which we derive a knowledge of the heinousness of crime, and of the penalties which should be affixed to special violations. This inquiry however, need not be pursued until arguments be adduced in condemnation of the present system. A fort needs no defence until it is attacked—the walls however should be to their proper height, the port holes clear, and the cannon ready for action.

The individual, whose phenological developments in the region of conscientiousness, induce him to attack and condemn the justness of punishing capital, should in compromising with his conscience upon this subject, take into consideration what it requires to constitute any regulation, law, or enactment, strictly and unequivocally right. If however, the gentleman who has directed his attention to the law authorising the infliction of capital punishment, has by fair deductions from proper premises, come to the conclusion that the principle is not based upon proper authority; he exhibits the spirit of a philanthropist in devoting his time and talents, in opposing a custom by which many, (if he be correct) have suffered, and more inflicted, an unjust and unwarranted punishment.

My friend "M" appears to think, that it will be an easy matter to show that a law sanctioning the infliction of capital punishment, is contrary "to justice, reason, religion, the law of God, and the principles of philanthropy." It is not deemed that it will be necessary for him to enter into an elaborate argument, to prove that such a law is contrary to each of these separately, since it is presumed that they all harmonise, and consequently, if it violates one, it will violate all.—The question which appears to be deducible from the gentleman's assumption would be something like this: Is a law authorising the infliction of capital punishment for capital crimes, contrary to the law of God? If now, it can be shown that the affirmative of this proposition is correct, the

admission will be readily made, that this kind of punishment should be immediately abolished. But on the contrary, should the negative be established, the inference will follow, that justice, reason and the principles of philanthropy demand its infliction; and that no human tribunal can be justifiable in permitting the murderer to escape the demands of violated justice.

Arguments quite plausible and consonant to our feelings may be adduced in favor of abolishing punishment so severe; particularly when no excitement arising from a case demanding its infliction operates upon them. But the sensations of our own bosoms constitute a criterion too fallible, by which to determine with absolute certainty, in relation to the right, with which we are invested to enact laws regulating the most important relations in human society. Infallible justice is not the offspring of human reason, or deduction, and hence our dependence upon revealed laws in the decision of many questions in relation to civil and religious duties.

The limits assigned forbid an enlargement at present. It is hoped that our friend "M" will not labor to show upon whom the supposed crime of executing capitally rests, until he has first established the fact that it is worthy of the appellation he gives it—"legal murder." The sea is calm and the wind fair—we would like to see him sailing.

PHILOS.

Woodsfield, March 25th 1844.

Mr. Morris:—In the years 1813, '14 and '15, there appeared an epidemic at Black Rock, among the United States' troops, which spread itself over the whole nation and carried off thousands of our citizens, before any efficient means to arrest its progress were found out. As I was with that disease on the Lakes in 1813, and had opportunities of witnessing its operations in '14 and '15, farther south in the state of Ohio, and was one of the sufferers from its severe attacks; I will give you some of the symptoms by which it was characterised. My reasons for so doing are the following, viz:

From my most careful observations, I am induced to believe, that there is a disease in the air at this time, which, from its violence, is likely to prove fatal to many. 2nd. I am strongly of opinion, that the present epidemic is none other than the old disease of '13, '14 and '15, again revisiting the United States. 3rd. As it will be impossible for the physicians of this county to attend to all who may be taken. It seems to me to be a duty I owe to my fellow men, to publish the most successful mode of treating that disease. By doing this many valuable lives may be saved, who otherwise might fall victims to its devastating virus.

First then its Symptoms were, 1st a universal chill operating so intensely on the vital powers, as to make them feel as though every spark of fire was conveyed away from the system by the most raw and disagreeable East wind. 2nd. Universal prostration, and in many cases total loss of strength. 3rd. Severe pain in some particular part, striking as though it were sundering or tearing the flesh from the bone. This frequently took place in the thumb, the great toe, the palms of the hands, the bottoms of the feet, the elbows, the calf of the leg, the back of the neck, and the loins; no place was exempt. 4th. In many cases, but not in all, sudden swelling of the glands of the neck and throat; which, in the commencement of the epidemic, caused some to mistake the disease for a Quinsy, the face and head frequently swelled, and gave symptoms of putrid Erysipelas. 5th. In many cases pain in the chest, resembling pleurisy, with light coughs, accompanied the disease. 6th. Pulse not much faster than common, sometimes much slower, almost every variety of pulse attended it. Some died in 12 hours, some in less; some in 24, some in 36, and some lingered 15 or 20 days. Some turned spotted, some looked natural.

Its NAME.—The common people called this disease the Cold Plague, from the exceeding cold feelings accompanying it, and the speedy deaths that followed its attacks. Physicians differed for a while in their opinions, but finally the major part called it Putrid Typhus.

TREATMENT.—The lancet was used in its commencement; but was almost universally destructive to the patient. This was abandoned and the anti-phlogistic plan moderately pursued without the lancet. This was but little better; yet in those cases where Pylalism could be induced, success was certain. But the swiftness of the progress and termination of the fever was such, that not many patients could be brought under the influence of calomel; yet where it could be introduced, it proved a sovereign remedy, but its failure in taking command of the system in due time to afford relief, led practitioners to seek for a more speedy remedy. This they found in the SWEATING plan. This simple plan became most potent in giving almost instantaneous relief to the poor distracted sufferer. Its fame soon took wings, and every other plan was laid aside; machines were invented for the purpose, and kept ready, even where the disease

had not yet made its attacks. Many sweat with Hemlock (our Spruce Pine) others with Pennyroyal, drank warm Cognac or other strong drink in it. And here permit me to say, Alcohol had its legitimate use, and though the Faculty perhaps, if they had been industrious, might have found out a substitute for this, yet it has not been done. So much for the Cold Plague.

Believing as I do, that the present disease is none other than the Cold Plague, (so called) though in a milder form, I would recommend the good citizens, through the medium of your paper, to adopt the sweating plan, immediately upon its attacking any of them; and call in Physicians by all means if they can be procured. If they cannot, after sweating freely take a gentle purge, and use moderately of spirit either in panado or warm stew. There are various modes of sweating; almost any old lady will be a professor in this, so that I will prescribe no mode. I once laid a man in bed, covered him well with the bed clothes, put a jug of warm water under each arm and one at his feet, gave pennyroyal tea every few minutes warm, with a little Cognac in it. You may rest assured, Sir, he sweat.

J. McMAHON.

N. B. Where there is severe pain bathe the part frequently in the oil of pennyroyal or peppermint. If the pain be in the arm or leg and does not yield to this, roll the part in dog wood bark boiled strong and thickened with bran or cornmeal; and take Quinine freely if it can be procured, provided a physician cannot be had, but by all means have one if he can be procured.

J. M.

COON DEFENCE OF CLAY.

From the New Haven (Connecticut) Register.

THE DIFFERENCE.—The Palladium says that General Jackson once fought a duel, and therefore THE BLOODY HAND OF MR. CLAY ought not to be alluded to. But there is all the difference imaginable between the two cases. General Jackson was a young man when he accepted a challenge; he became religious after that, and repented of the wrong. This was long before he was a candidate for the Presidency, or had even been thought of for such a post. But how is it with Mr. Clay? We do not allude to his early and first duel, when he shed the blood of Mr. Marshall, the brother of the late Judge Marshall, and a man much older than himself. He was young then. But he has been ever since the same.—While holding the office of Secretary of State—the first office next to the President—he called out John Randolph, and came near taking his life; the bullet went through Randolph's clothes. It may be said that Mr. R. provoked him, though that is no excuse—we however pass by that; and come to the murderous death of Cilley. Mr. Clay here had no controversy with his victim—he run no risk himself; but coolly planned the taking of another's life. He wrote THE MURDEROUS CHALLENGE FOR GRAVES to send. This was not the indiscretion of his youth, but it was at a time when Mr. Clay's age and standing should have taught him better. He had then been twice a candidate for the Presidency, and was looking forward to a third nomination from the whigs, which as they say, he has already received "by acclamation." That he wrote that challenge, and was the adviser of Graves we have the authority of Mr. Wise for saying, into whose hands the manuscript was placed, and who acted as the second. This assertion of Wise has never been contradicted by Clay or his friends; and those friends have lately voted in the Senate for the appointment of Mr. Wise as Minister to Brazil, which they never would have done, if he had Mr. Clay in so serious a point as this. It is said that they were induced to vote for this nomination, for the purpose of having Mr. Wise and the bloody manuscript which he retains, in a foreign country, while the Presidential controversy is going on here. We have also the authority of Mr. Wise for saying, that when Mr. Clay heard of the death of Cilley—an event that chilled every bosom not dead to feeling in the land—he coolly replied, "we'll it will only be a nine day's wonder." And this is the man who is now held up to the moral and exemplary people of Connecticut, as "the embodiment of high principles;" an "embodiment" so perfect, that the party has taken the very name of Clay, as descriptive of their political organization. A man must in these days, be not only a whig, but a Clay Club Whig, or he is not orthodox. The "BLOODY HAND" is raised, as if in defiance of high heaven, and all are required to rally around it; and take the path which it points out to them.

Cincinnati: Wheat 75, barley 75, oats 21, rye 50, corn in ear 26, coffee 7.13, potash 34, alcohol 38.45, flour 375, dried apples 56, beef cattle 24.3, whiskey 19, sole leather 20, cloverseed 462, hams 54, butter 54, cheese 44, beans 90 cents, castor oil 100.

The Legislature of Iowa, which adjourned Feb. 16th, rejected bills securing their property to married women, and abolishing hanging.

From Kendall's Expositor.

TRACT NO. 1.

"THOU SHALT NOT KILL."

Dialogue between a Deacon and his Minister, on the subject of the Presidential Election.

Deacon—I come to advise with you as to the course which, as a Christian, I ought to pursue in the next Presidential election.

Minister—Well, what are your difficulties? D—I am a true whig, and I hope a true Christian. In 1828, I was much inclined to vote for Gen. Jackson on account of the great services he had rendered the country, but you advised me that, as a true Christian, I could not do so, because he had set at defiance the laws of God and man, by fighting a duel. The whigs now present us a candidate for the Presidency who has fought two duels, and been an accomplice in a third. What am I to do?

M—I have heard that Clay was a duelist, but have never inquired into the particulars.

D—I have, for I thought it my duty to do so when called on to put him at the head of the nation to see the laws faithfully executed. Shall I give you the particulars?

M—Go on. D—Here is a "Biography of Henry Clay," written by his particular friend, George D. Prentice. At page 80, we are told he accepted a challenge from Col. Davies, but it was unjust. At page 45, is an account of his first duel. Here are the words of the Biographer, viz:

"Mr. Clay brought a resolution before the House [the Kentucky House of Representatives] that each member, for the purpose of encouraging the industry of the country, should clothe himself in garments of domestic manufacture. This resolution called into exercise all Mr. Marshall's talents of vituperation. He denounced it as the project of a demagogue, and applied a variety of epithets to its author, which no parliamentary rules could justify. Mr. Clay's language in reply was probably of a harsh character, and the quarrel proceeded from one stage to another, till according to the laws of honor, which every Kentuckian of that day was taught to reverence, no alternative remained to Mr. Clay, and he was required to challenge his antagonist. The challenge was accepted. The parties met, and the first shot was exchanged without other effect than a slight wound to Mr. Marshall. On the second or third trial, Mr. Marshall's ball gave Mr. Clay a slight flesh wound in the leg, and the seconds now interfered and prevented a continuance of the combat."

This account is given by a friend and apologist. But it shows that Mr. Clay was the challenger, and that twice or thrice he deliberately attempted to take away the life of a fellow man.

M—But does not the Historian say Mr. Clay has repented this early crime? D—He says, "we have no doubt that Mr. Clay erred in this affair with Mr. Marshall, and it is said that he himself looks back to the incident with disapprobation and regret." If there had been any sincere repentance, it would have shown itself in his subsequent conduct. So far from that, some seventeen years afterwards, he publicly proclaimed his determination to commit the same crime if he could find an antagonist, and the next year did commit it!

M—Let us have the particulars. D—Prior to the election of President by the House of Representatives in 1825, it was charged, in a letter published in Philadelphia, purporting to be written by a member of the House, that Mr. Clay had bargained to make Mr. Adams President on condition of receiving preferment at his hands, whereupon Mr. Clay published a card in the newspapers, which concluded as follows, viz:

"I pronounce the member, whoever he may be, a BASE and INFAMOUS CALUMNIATOR, A DASTARD AND A LIAR; and if he dare unveil himself and avow his name, I will hold him responsible, as I here admit myself to be, to all the laws which govern and regulate the conduct of men of honor."

"H. CLAY."

Mr. Clay was then Speaker of the House of Representatives, and it was from that high station that he thus hurled defiance at the laws of God and man, shocking all the moral and religious feelings of this great nation.

M—But no duel grew out of that, I believe. D—No; but it was not in consequence of any retraction or repentance on the part of Mr. Clay, as the events of the next year amply demonstrate.

M—Go on. D—Mr. Adams was elected President by the aid of Mr. Clay's vote and influence, and appointed Mr. Clay Secretary of State. In a speech in the Senate at the next session of Congress, John Randolph characterized this coalition of known political enemies, as the union of the "Eastern Puritan with the Western Blackleg." Mr. Clay immediately sent a challenge. Mr. Clay's Biographer has not thought proper, in the text of his work to give us any account of this duel, but in the newspapers of the day, I find the following official account of the meeting, viz:

"On Saturday, the 8th April, at half past four o'clock, a meeting took place between Mr. Clay and Mr. Randolph, upon a call of the former, in consequence of certain expressions used by the latter in a recent debate in the Senate, which Mr. Clay considered offensive, and applied personally to him."

"Mr. Randolph was attended by Col. Tatnall, of Georgia, and Major Hamilton of South Carolina. Mr. Clay by Gen. Jessup of the Army, and Mr. Johnson of Louisiana."

"The parties met on the ground—exchanged salutations, and took their stations. "The pistol of Mr. Randolph, which was suspended by his side, went off. It was perceived to be an accident, and so pronounced by Mr. Clay; immediately, however, upon the report of the pistol, Mr. R. turned to Col. T. and said, 'I told you so.' Col. T. then turning to Gen. J. observed, 'Sir, the fault is mine—Mr. R. protested against the use of the hair trigger—it was at my express instance the hair was sprung.' Another pistol was handed to Mr. R. The parties resumed their stations and exchanged shots without effect."

"Immediately after the report of the pistols, while Col. T. and Gen. J. were reloading, Col. Benton, of Mo., rode up, and united with Mr. Johnson and Col. Hamilton in an effort to stop the affair, which proved ineffectual. The parties again took their stations, and the word being given, Mr. Clay raised his pistol and fired, and the ball passed through Mr. R.'s clothes. Mr. R. reserved his fire; holding his pistol perpendicularly up—said, 'I do not fire at you, Mr. Clay,' and discharged his pistol in the air. He added, 'it was not my intention to have fired at you at all; the unfortunate circumstance of my pistol going off accidentally, changed

my determination.' At this instant Col. Benton came up and said, 'Yes, Mr. R. told me so expressly, eight days ago.' The parties simultaneously approached towards each other, both with extended hands, Mr. R. remarking, 'Sir, I give you my hand,' which was received by Mr. Clay, and the affair thus happily closed."

M—But look here; Mr. Clay's Biographer in his Appendix, page 292, notices this duel, and says Mr. Clay 'regrets this incident.' He gives an extract from Mr. Clay's address to his fellow-citizens soon after the duel, in which he says, 'I owe it to the community to say, that whatever heretofore I may have done, or, by inevitable circumstances, may be forced to do, no man holds in deeper abhorrence than I do, the pernicious practice of duelling. Condemned as it must be, by the judgment and philosophy, to say nothing of the religion of every thinking man, it is an affair of feeling, about which we cannot, although we should, reason. The true corrective will be found, when all shall unite, as all ought to unite, in its unqualified proscription.'

D—I had observed that passage and reflected upon it. I will endeavor to give the views it suggests.

1. To kill in a duel is MURDER, by the laws of God and man.

2. According to Mr. Clay's reasoning, murder of this sort is to be excused because it is "an affair of feeling." Otherwise he is without excuse.

3. All malicious murder is "an affair of feeling," and is excused on the same ground.

4. How can all unite "in its unqualified proscription," when men like Mr. Clay, whom society recognizes as its leaders, apologize for the crime and persist in committing it?

5. So far from promising reformation in this address, Mr. Clay avows that he "may be forced" to fight again. What is his "deeper abhorrence" worth, with this avowal on his lips?

6. Is it not the surest way to arrive at that "unqualified proscription" which Mr. Clay says is "the true corrective," for "all" to unite in the "unqualified proscription" from the high offices of the country, of all who are guilty of this awful crime?

M—I believe the blood of no murdered man is upon Mr. Clay's head.

D—I am not certain of that. But be that as it may, it is no apology for Mr. Clay that he did not succeed in his murderous design. The reason why the blood of Randolph does not rest on his head, is thus lightly given by his Biographer, pages 299, viz: "In due time, the parties fired and luckily for both of them, or at least for Mr. Clay, Mr. Randolph's life was saved by his govern. The unseen garment constituted such a vast circumference, that the locality of the thin and swarthy Senator," was at least, a matter of very vague conjecture. Mr. Clay might as well have fired into the outspread top of an oak, in the hope of hitting a bird he supposed to be snugly perched somewhere among the branches. His ball hit the centre of the visible object, but Randolph was not there; and of course the shot did no harm and no good."

This shows that if the blood of Randolph does not rest on Mr. Clay's head, it is not for lack of malice or of deadly aim.

M—But you say you are not sure that the blood of the murdered does not rest on Mr. Clay's head; what did you refer to?

D—To the murder of Mr. Cilley in 1838.

M—Why, Mr. Clay had nothing to do with that.

D—You are greatly mistaken; he was Mr. Graves' adviser from the beginning, until he went out to fight, and was clearly an accomplice in the murder.

M—What authority have you for that?

D—The authority of Mr. Clay's particular friends, and of Mr. Clay himself. You may remember that Mr. Graves, of Kentucky, was the bearer of a challenge from James Watson Webb, to Mr. Cilley, for words spoken in debate. Mr. Cilley verbally declined accepting the challenge for reasons which were entirely satisfactory to Mr. Graves. But upon consultation with Mr. Clay, it was determined to require Mr. Cilley to put his reasons in writing, and to state among other things that he considered James Watson Webb a gentleman. This he refused to do, because he could not in conscience, and for not admitting that to be true which he knew to be false, Mr. Graves challenged and killed him. And thus he did under the advice of Henry Clay, as I shall show.

Here is a letter from Henry Clay to A. Wise, dated Feb. 28, 1842, in which Mr. Clay says:

"I did not know that Mr. Graves bore a note from Col. Webb to Mr. Cilley until after the delivery of the note, and after Mr. Graves received from him a verbal answer. In that stage of the transaction, for the first time, Mr. Graves communicated the matter to me, and I congratulated him on the fact of that answer being perfectly satisfactory, and such as to absolve him from all obligation to pursue the affair further."—"On conversing together, we both agreed that, to guard against future misunderstanding and misrepresentation, it was desirable that Mr. Cilley should put in writing what he had verbally answered."

Upon this advice Mr. Graves required a written statement from Mr. Cilley, containing a concession that Webb was a gentleman, and not being able to obtain it, he returned to Mr. Clay for further counsel. In reference to what then passed, Mr. Clay says in the same letter:—

"When, on the day preceding the duel, Mr. Graves, in company with you, came to my room, I was informed that he had determined to challenge Mr. Cilley, and he showed me the challenge which he had drawn. Upon reading it, I thought it closed the door to all accommodation, stated that objection, and sketched a draught in my own handwriting, which would admit of an amicable adjustment."

This draught, in Mr. Clay's own handwriting was copied by Mr. Graves, and sent to Mr. Cilley. It was in the following words, viz:

WASHINGTON CITY, Feb. 23, 1838.

Hon. J. CILLEY:

As you have declined accepting a communication which I bore to you from Col. Webb, and as by your note of yesterday you have refused to decline on grounds which would exonerate me from all responsibility growing out of this affair, I am left no other alternative but to ask that satisfaction which is recognized among gentlemen. My friend Mon. Henry A. Wise is authorized by me to make the arrangements suitable to the occasion.

Your obedient servant,

W. J. GRAVES.

From a statement published by Messrs. Wise and Jones (the seconds) after the duel, it appears that Mr. Jones stated to Mr. Wise (when Cilley accepted the challenge) that he was authorized by Mr. Cilley to say, that in declining to receive the note

from Mr. Graves, purporting to be from Col. Webb, he meant no disrespect to Mr. Graves, because he entertained for him the same respect as he did for the most respected and the most kind feeling; but that he declined to receive the note because he chose not to be drawn into any controversy with Col. Webb.

Yet, after this second disavowal of any disrespect to Mr. Graves, was this duel pushed, under the advice of Mr. Clay, to a fatal termination?

But this was not the last of Mr. Clay's agency. He was duly informed of the acceptance of the challenge written by him, and of the arrangement to fight with the deadly rifle. In the same letter he says:

"My belief is, that I never saw the terms according to which the combat was to be conducted, prior to the duel, although I think they were stated and explained to me, probably by you." (Mr. Wise.)

That he was in possession of all the particulars, is proved by the statements of Charles King and Reverdy Johnson, Esqrs, published by Mr. Clay himself, in which the former says, Mr. Clay showed them the papers, but the latter says: "At neither interview were we shown the written challenge and acceptance or the terms of the duel, but had them explained to us only by Mr. Clay."

By Mr. Clay's own evidence, therefore, it appears, that he advised the written correspondence which led to the duel, that he drew the challenge, and that he knew the terms on which they were to fight.

M—Well when he knew that the parties had arranged to commit mutual murder, did he not invoke the power of the law to prevent it?

D—So far from that, he directly refused to do so? In the letter already referred to, Mr. Clay says: "Being the friend of Mr. Graves, I could not invoke the authority of the police to prevent the duel."

His friends, Messrs. Chas. King and Reverdy Johnson, concur in stating, that on their urgent appeal to Mr. Clay to aid in arresting the duel, Clay replied in substance, "that we saw how he was situated, Mr. Graves had consulted him. He ought not, he said, to have been consulted; but having been, the honor of his friend who was the challenger might be compromised by any advance on his (Mr. Clay's) part to arrest the progress of the affair."—These gentlemen found Mr. Graves with Mr. Clay on that occasion, it then being past six o'clock in the evening, and early the next morning the awful murder was consummated almost in sight of the Capitol!

Mr. Clay says, he did not expect the duel to be fought the next day, because Mr. Graves had not at that time procured a rifle; but Mr. Clay's colleagues from Kentucky in the Senate, and one of his particular friends in the House, borrowed one about twelve o'clock at night with which the fatal deed was committed in the morning.

Mr. Wise, who was Mr. Graves' second, has declared that the duel was caused by Clay's advice which differed from his own; and Mr. Clay says in his letter:

"I admit, without any reservation whatever, that on all the points of the controversy respecting which he (Graves) asked my opinion, I gave it to him freely, according to the best of my judgment."

It then appears: That Mr. Clay helped to concert this murder. And that when the plan was all complete, he refused to aid in arresting it.

Does not the blood of Cilley rest on Mr. Clay's head?

M—But Mr. Graves was Mr. Clay's friend; and he says he was bound to give his advice when asked.

D—That may be; but can any man lawfully advise his friend to commit murder? Can any man knowing that a murder was in contemplation, acquit himself of his duty to God and man without taking efficient steps to prevent it? With Mr. Clay, this was not "an affair of feeling" like his duel with Randolph; he at least could "reason" in this case. M—Is your case fully stated?

D—No; I have one point more. The Constitution of the United States says:

"For any speech or debate in either house, they (the members of Congress) shall not be questioned in any other place."

When Henry Clay was appointed Secretary of State in 1825, he took the following oath prescribed by law, in pursuance of the constitution; viz: I HENRY CLAY, do solemnly swear that I will support the Constitution of the United States SO HELP ME GOD."

Yet, the words for which he challenged and attempted to kill John Randolph were spoken in debate in the Senate of the United States. If Mr. Clay had been a private citizen, this challenge would have been a violation of the Constitution; being Secretary of State, and under oath to support that instrument, it was not only a violation of the constitution, but of his SWORN COVENANT WITH HIS GOD.

How can I, as a Christian, or Good citizen, support for President a man who not only violates the most sacred laws, both human and divine, but sets at naught his SOLEMN OATHS! What will become of our laws, or our constitution or our country, when a man who is capable of becoming so excited by "an affair of feeling," that he cannot reason though he should, shall hold in his hand the Executive Power of this great Republic? Graves, the principal in this tragedy, is now spreading out his bloody hands to the people of Kentucky imploring them to vote for his principal! Is this fit company for Christians?

M—I confess you have made out a stronger case against Mr. Clay than I supposed possible. He has twice shown himself willing to commit murder in duels and twice attempted it.

He has aided and counselled another in pursuing unto death, a fellow-man who had repeatedly disavowed all personal disrespect or unkindness towards his pursuer, simply because he refused to admit what he believed to be untrue. For this cause only, a happy wife was made a widow, and little children made fatherless.

He has violated at the same time, the Constitution of his country and his oath before his God.

I have to repeat the advice given you in 1828; for in some respects, Mr. Mr. Clay's crimes exceeded those of Gen. Jackson.

We of the whig party profess to be the friends of religion law and order. If true to this profession, we cannot vote for men who set at defiance man's laws, and God's laws, and rush to the commission of crime over the Constitution and their oaths.

Nay, I am not sure that we ought not, if our whig leaders persist in pressing on us such a candidate, to take the most effectual way to prevent his election by voting for his opponent.

Stemboat Burkeville loaded with cotton and tobacco sunk on the 7th, in the Cumberland river.